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May 4, 2008

The Honorable Magistrate Judge Michael H. Dolinger
United States District Court
Southern District of New York
500 Pearl Street, Room 1670
New York, NY 10007-1312

Fax: (212) 805-7928

Re: Baraliu v. Vinya Capital LP et al
No. 07CV04626 (MHD)

Dear Judge Dolinger:

I am faxing this letter to you and opposing counsel to seek your advice on meeting the deadline of May 9, 2008 to file my Memorandum of Law and Opposition to Defendants' Motion for an Order for Judgment on the Pleadings seeking dismissal of five Counts of the Plaintiff's Complaint.

This matter was transferred to you by Judge Marrero who had granted my request to be admitted, pro hac vice, some time ago, subject to submitting a Certificate of Good Standing from the State of Connecticut, Superior Court.

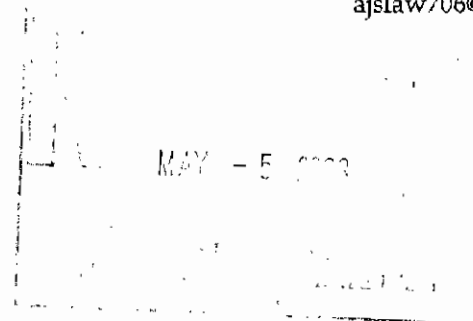
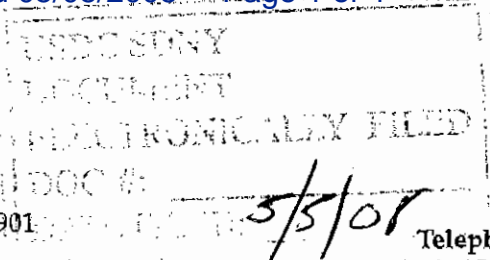
I had the appropriate certificate issued, had the affidavit of Attorney Ginsberg, a member in good standing of your Court, my Motion for Admission Pro Hac Vice, the required filing fee and traveled in to the Court's Civil Clerk's Office. There I was informed that I was required to have the Certificate of Good Standing issued within 30 days (it had been issued more than 30 days prior), in addition to a proposed Order of Admission Pro Hac Vice and Proof of Service of the Motion on all parties.

I requested a new Certificate of Good Standing which was received in my Office yesterday, Saturday, May 3, 2008 (See attached envelope).

So I am left with a chicken/egg dilemma. I cannot get my ECF password to electronically file my response to Defendants' Motion until I am admitted, and I don't see how I will be able to be admitted prior to Friday, May 9, 2008.

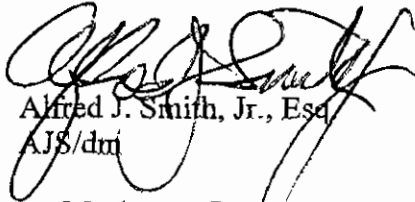
One possible solution might be if opposing Counsel, Attorney Rogers, could electronically file my opposition (which I would forward to him) while my admission to the Court is being finalized, or, you might grant a reasonable extension of time for my Response, which I hereby request. I will contact opposing Counsel Monday morning to obtain his assent.

ENCLOSED ENVELOPE
counsel is to serve and
submit to court by copy of
this motion papers by May 9, 2008. He is to arrange
them pro hac vice for his admission - new has
promised (is this correct) for the admission - to file his
motion by 5/9/08. H- is the new 7/08
MCS



I have been admitted, pro hac vice, in numerous Federal District Courts in the past, and seek your advice, or that of your Clerks' on resolving this matter in the Southern District of New York.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alfred J. Smith, Jr.", is written over the typed name and initials.

Alfred J. Smith, Jr., Esq.
AJS/dm

cc: Morlan Ty Rogers, Esq.
Fax: (212) 763-6810



State of Connecticut
Supreme Court

I, Michèle T. Angers, Chief Clerk of the Supreme Court of the State of Connecticut and keeper of the Seal thereof,

Do hereby certify that, in the Superior Court at **Bridgeport**
on the **thirty-first** *, day of* **October**
1985

Alfred J. Smith, Jr.

of

Darien, Connecticut

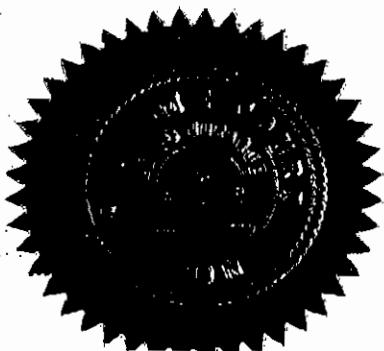
having been examined and found duly qualified, was sworn as an attorney and admitted to practice before all the courts of this state, and that said attorney is a member in good standing of the Bar of this State pursuant to Practice Book §2-65.

In Testimony Whereof, I have hereunto set my hand and affix the Seal of the Supreme Court of the State of Connecticut, at Hartford, this **thirtieth** *day of*
April **20** **08**

A handwritten signature in cursive script that reads "Michèle T. Angers".

Michèle T. Angers

Chief Clerk



STATE OF CONNECTICUT
SUPERIOR COURT
CLERK'S OFFICE
96 Washington Street
Hartford, CT 06106



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